



Appeal Decision

by N Jones BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 19/01/2024

Appeal reference: CAS-03095-V7V0K7

Site address: 3 Rhosrhedyn, Southsea Road, Southsea, Wrexham, LL11 6PR.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Dave Douglas against the decision of Wrexham County Borough Council.
 - The application Ref P/2023/0287, dated 24 April 2023, was refused by notice dated 12 July 2023.
 - The development proposed is ground floor extensions.
 - A site visit was made on 4 January 2024.
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Decision

1. The appeal is allowed, and planning permission is granted for proposed ground floor extensions at 3 Rhosrhedyn, Southsea Road, Southsea, Wrexham, LL11 6PR, in accordance with the terms of the application, Ref P/2023/0287, dated 24 April 2023, subject to the following conditions:
 - 1) The development shall begin not later than five years from the date of this decision.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
 - 2) The development shall be carried out in accordance with the following approved plans and documents:
Existing & Proposed Plans & Elevations, Block Plan & Location Plan (Drawing No.2023/02/01); General Notes and Sections (Drawing No. 2023/02/02).
Reason: To ensure the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.
 - 3) No development shall take place until a scheme for biodiversity enhancement has been submitted to and agreed in writing by the local planning authority. The development shall be carried out, and thereafter retained, in accordance with the approved details.
Reason: Future Wales requires all developments to maintain and enhance biodiversity.

Procedural Matters

2. I have used the description of development given by the appellant as it more accurately describes the proposed development.
3. The Wrexham Unitary Development Plan (UDP) remained the development plan at the time the Council's decision was made. The Wrexham Local Development Plan 2013 to 2028 (LDP) was adopted on 20 December 2023 and supersedes the UDP as the development plan. The appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. The parties have been given an opportunity to address LDP policies in relation to the appeal. The Council's Local Planning Guidance Note 20 'House Extensions' (LPGN 20) was adopted prior to adoption of the LDP. It nevertheless contains useful advice and remains an adopted guidance note and a material consideration in the appeal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property is a semi-detached two storey dwelling, forming part of a consistent row of similar properties in an elevated position above this side of the road, and located on a corner plot in a densely developed residential area. Properties opposite the appeal site are located at street level.
6. LDP Policy DM1 requires amongst other things that development proposals must accord with or enhance the character, local distinctiveness and appearance of the site, existing building(s) and surrounding landscape/ townscape in terms of their siting, layout, scale, height, design, density, use of materials and landscaping.
7. The Council raises no concerns regarding the proposed front porch extension or the amount of garden space which would remain as a result of the proposed side extension. From the evidence before me and my own observations, I have no reason to disagree on these matters.
8. LPGN 20 recognises that within settlement limits, an overall limit on the size of extensions would not be appropriate, *'provided that the extension complied with the Council's guidelines regarding garden size, separation distances, residential amenity, impact on townscape etc.'* The proposal would not lead to the loss of parking space. The proposed side extension's ridge line would be lower than that of the original dwelling. Its intended roof would match that of the original in terms of pitch and form. The scheme would retain the character, scale, and design of the original property, reflecting existing details such as window shape, while the submitted drawings confirm that external materials would match existing finishes.
9. Nevertheless, acknowledging that corner plots can often be prominent from both streets, and provide an open appearance and greenery, LPGN 20 advises that the width of side extensions on corner plots should not be more than half the width of the original frontage of the property or more than half the width of the garden/plot between the property and adjacent highway. In the case of the appeal proposal, although there would be sufficient space to allow for maintenance around the proposed side extension, the scheme would exceed both these measurements.
10. However, I saw that the siting of dwellings at Cross Street forward in their plots, close to the road, and their position on rising land to the rear of the appeal site serve to enclose the corners of the junction of Southsea Road with Cross Street. Although the proposed

extension would be forward of the building line of properties at Cross Street, it would be seen against a background of rising ground and existing built development in close views along Southsea Road. In more distant views along this road, it would be largely screened by the high boundary features of the elevated neighbouring roadside properties. Looking downhill along Cross Street, the proposal would be seen against the backdrop of dwellings on the opposite side of Southsea Road. Given this, and its intended single storey form, it would have no appreciable enclosing effect on the corner. Neither would it for these reasons form a harmful intrusion into the street scene.

11. I conclude that the proposal would not harm the character and appearance of the area and would comply with LDP Policy DM1 and the advice within LPGN 20.

Conditions

12. The Council has suggested conditions which I have considered in the light of the advice within Circular 016/2014 The Use of Planning Conditions for Development Management ('the Circular'). As the submitted drawings confirm that external materials would match the existing dwelling and that soakaways would be provided to receive rainwater from the proposed extensions, conditions are unnecessary in relation to these matters. I sought the views of the parties in relation to a condition requiring biodiversity enhancement, in accordance with national planning policy requirements, and I have included a condition to that effect.

Conclusion

13. For the reasons given above, and taking all other matters raised into account, I allow the appeal.
14. In reaching my decision I have taken into account the requirements of sections 3 and 5 of the Well-being of Future Generations (Wales) Act 2015. I consider this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's wellbeing objectives as required by section 8 of the Act.

N Jones

Inspector